

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS- Land Acquisition – Adilabad District – Mudhole (Mandal) – Ashta (Village) – O.P.No.61/98 - Sanction of Decretal charges of **Rs.4,56,992/-** - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 800

DATE:19.10.2009

Read:

- 1) From the Spl.Collector, LA, SRSP, SSP & JCRGLIP, Hyderabad Lr.No.E1/3598/2009, dt:17.08.2009.
- 2) From the Secy.to CCLA, A.P, Hyd. Lr.No.SRP2/782/09, dt:0.10.09.

O R D E R:

The Secretary to the Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, LA, SRSP, SSP & JCRGLIP, Hyderabad has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.61/98 pertaining to Ashta (V) Mudhole (M) of Adilabad District. The then Land Acquisition Officer, LA Unit, Karimnagar has acquired the lands for an extent of Acres 26.01 gts of lands for submergence under SRSP in the limits of Ashta (V) of Mudhole (M) by fixing the market value @Rs.720/- per acre vide Award No.15/83-84, dt:26.03.1984. Aggrieved by the award passed by the LAO, LA Unit, Karimnagar, the awardees have filed petitions U/s.18 of L.A.Act with a request to refer the case to the Civil Court for adjudication. On reference, the Sr.Civil Judge Court, Nirmal in its judgment dt:23.11.2004 has ordered that the compensation awarded by the LAO needs no enhancement as the claimants be and hereby are not entitled for enhancement of compensation as awarded by the LAO. Aggrieved with the orders of the Lower Court, the claimants have preferred an appeal for enhancement of the land value, which was numbered as A.S.No.530/2004. The Hon'ble High Court in its orders dt:01.04.2005 and enhanced the market value from @Rs.720/- to Rs.8,000/- per acre.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.4,56,992/- (Rupees Four lakhs fifty six thousand nine hundred and ninety two only)** in respect of O.P.No.61/98 pertaining to Ashta (V) Mudhole (M) of Adilabad District may be agreed to subject to verification whether the reference under section 18(1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Government/ Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the District Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The District Collector, Adilabad has directed to follow the directions issued by the Hon'ble High Court on 30.04.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants of O.P.No.61/98 under SRSP for avoiding intervention of the middlemen.

4) The expenditure sanctioned in para (2) ante shall be debitible to following Head of Account under "2701 – Capital Out Lay – Major and Medium Irrigation – 01 – Major Irrigation – M.H.116 – SRSP, Stage-I, G.H.11 – Normal State Plan – Schemes included in the Plan - S.H (26) – Dams and Appurtenant works – 530/532 – Lands (charge)". In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.3534/F4(2)/09-1, dt:10.09.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To
The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.
The Spl. Collector, LA, SRSP, SSP & JCRGLIP, Hyderabad.
The Admn-Chief Engineer, SRSP, Karimnagar.
The Revenue Divisional Officer, Adilabad/
The SDC, LA-cum-Loc Unit, SRSP, pochampad.
The Director of Works Accounts, Hyderabad.
Copy to: P.S. to Minister (M& MI).
Finance (W&P) Department/File C.No.21657/LA.III(A2)/2009
SF/SCs.

//FORWARDED:::BY ORDER

SECTION OFFICER